

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRUCE HAY,

Plaintiff,

-v-

NEW YORK MEDIA LLC, ET AL.,
Defendants.

20-CV-6135 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Plaintiff invokes this Court's diversity jurisdiction pursuant to 28 U.S.C. § 1332.

However, the Complaint does not adequately demonstrate the Court's subject matter jurisdiction because it does not allege the citizenship of each of the members of the LLC defendant. The state of registration and headquarters location of a limited liability company are irrelevant to the question of diversity of citizenship under § 1332. Rather, for purposes of diversity jurisdiction, an LLC has the citizenship of *each of its members*. See *ICON MW, LLC v. Hofmeister*, 950 F. Supp. 2d 544, 546 (S.D.N.Y. 2013) (citing *Bayerische Landesbank v. Aladdin Capital Mgmt. LLC*, 692 F.3d 42, 49 (2d Cir. 2012)). Thus, in order to invoke this Court's diversity jurisdiction, Plaintiff must allege that the citizenship of each member of the LLC defendant was diverse from that of Plaintiff at the date of this action's filing.

Therefore, Plaintiff shall, on or before October 7, 2020, either (1) show cause as to why its complaint should not be dismissed for lack of subject matter jurisdiction, or (2) move to file an amended complaint that properly pleads jurisdiction. If Plaintiff fails to do so, this action may be dismissed.

SO ORDERED.

Dated: September 23, 2020
New York, New York



J. PAUL OETKEN
United States District Judge